

Statuta de Anno. xxi. Henrici. viii.

There after foloweth an abbydges
ment of the statutes made in the parlyam
ment holde in the. xxi. yere of kyng
Henry the eyght. .

Abiuracpon.

If any person take sentwarpe
for felonye or murder, he shal take his
abiuracion and passage at the daye li
mitted hi by the coroner. And the coroner imme
diately after his confession and before his abiur
racion, shall cause hi to be marked in the brawnne
of the thombe of the right hande with an hote
yron, with the sygne of an A. and than to grue
him his abiuracion. And all mayres, bayliffes,
and constables shalbe attendant to the coroner
for the due execucion therof. And if any suche fe
lon or murtherer refuse to take his passage, in ma
ner as before is said, than he to lose the benefite
of the sentwarpe and be taken out and comitted
to prison. Anno. xxi. h. viij. capitulo. ij.

Of abridgement of plaintes in assise.

The plaintiffe in every assise, may sever and
abridge his plaint of any parte wherunto any
barre is pleded by mozte, in like maner as he might
do in case the ples in barre had ben deuinded to
any certeynte or nombre of acres in the plainte.

A. i.

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and for the residue the plaint shal stande good
and effectual in the lawe Anno.xxi. li. viij. ca. iij.

Admynistratours.

CSe a newe way for makynge of admynistratours/in the title of probate of testaments.

Ayde prayer & ioyninge in ayde.

CSe of ayde prayer and ioyninge in ayde in the tytle of aduowrye.

Allyens.

CSe of aliens i the title of artificers straungers

Artifycers straungers.

Cwhere in the. xv. daye of February in the .xx. yere of the reygne of kynge Henry the. viij. it was decreed by the kynges counsell in the sterre chambre/that no artifycer strainger inhabitynge within this realme / shall kepe in his house any seruauntes straungers/ but only two at one time And that all straungers Denizens dwellynge in London subberbes or within two myles of the same / keepynge houses or occuppeng their craft shalbe contributaries with the kynges subiectes artificeres within the saide cite / berynge such charges as is here after specified. s. that al straungers artificers/denizens / or nat denizens inhabitynge as well within the said cite / as in

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any other place of Englande/ shall bere all suche charges as the kynges subiectes of like craites do alway vse to pay. And if any denye the same or any parte therof/ they shal no lenger occupye any craite: vpon the payne & pannels specified/ as well in the actes of the last parliament/ as in the statute made in the first yere of Richarde the. iii. And the same straungers householders whiche wyl abide within this realme shal vpon lauffull warnyng by the maister & wardynes of diuers mysteries/ present the selfe in the metynge place of the said craites/ and there be sworne before the to be faythfull & true/ & obedient to the kyng & his heires kynges of Englande & their lawes.

¶ Also no straunger artyfycere nat Denizen/ whiche was nat a householder the. xv. daye of Februarie last past / shall nat set vp ne kepe any house/ shoppe/ or chambre/ wherein thei shal occupy any handy craft within this realme/ vpon payne to ronne in suche penalties as be conteyned in statutes before this tyme made. And that no artificers straungers/ denizens or nat denizens shulde assemble in any cōpanye or conuentye/ but onely in the cōmen hall of their craites with the kynges subiectes whan thei shal be warned vpon paine afore exp̄ssed. It is enacted that the said decree shalbe holden ferme & stable & demy put in execucion Also that the acte made in the xiii. & xv. yere of kyng Henry the. viii. concernyng straungers artificers for takynge apprentices and covenant seruantes/ and euery article in

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the same be put in dewe execution / as well with
in London as in all other places within the re-
alme / and the same to endure perpetually.

Provided that no artificer straunger inhab-
iting within Oxforde / Cambridge: or the sente
warpe of saint Martins in London / shall retain
tourneymen or prentices aboue . x . persons at
one time / vpon the penalte contained in the said
acte made. Anno. xv. . l . viij The prouisions spe-
cefied in the said acte nat withstandynge. Anno
xxi. . l . viij . cap . xvi.

Auctorites gyuen to the president
of the kinges counsell / attending vpon
his moost honourable person with
other associate to him. . cc .

The Chauncellour: treasourer of Englande
and the president of the kinges counsel at-
tendynge vpon his moost honourable persone /
and keeper of the kynges preuy seale / or two of
them / callynge to them one bysshoppe / and one
temporall lorde of the kynges counsell / and the
two cheif Justices / or other two iustices in their
absens / vpon any byll put in for any mysbeha-
uyng of vnlawfull mayntenaunce / gyuynge of
lyueris / sygnes / tokens / and retaynders / en-
braceries / and vntrewe demeanynge of / Sherif-
fes in makynge of pannels / and other vntrewe

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returues: by takynge of money by iurles ⁊ great riottes and vnlawfull assemblies: haue power to calle before them by writte or preuy seale suche mysdoers and them and other by whome the trouth may be knowen to examine and punishe after the fourme of statutes herof to fore made in like maner as they sholde be punisshed if they were therof conuicted by the kynges lawes.

Also the president of the kynges counsell may be at all tynes associate with the Chauncellour and tresourer of Englande and keper of the kynges preuy seale as well at the namynge of shesriffes and settynge of prices of wyne / as at all other actes limited by any statute to be done by the said Chauncellour ⁊ tresourer or keper of the kynges preuy seale. Anno. xxi. d. viij. cap. xx.

Auowzpes.

Where any landes be holden of any person by rentes / customes / or seruices / if the lord distreyn vpon the same landes for any suche rentes / customes and seruices / and repleuin therof be sued the lorde may anowe: or his bayliffe or seruaunt make consace or iustefie the takig vpo the same landes / as within his fee ⁊ seignioyre alledgynge in the said auowrie consance or iustificacion the same landes to be holdē of him without namynge any person certeyn to be tenauntes of the same /

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and without any makinge any auowrye / iustification / or consaunce / vpon any person certein. And likewise vpon euery wrytte sued of seconde deliuerance.

C And that euery pson that maketh any suche auowrye / iustification: or consaunce / if the same auowrye / consaunce or iustification be fonnde for the / or the pleintiffe nonsute or otherwise barred / that they shal recover their damages & cost; & the said pleintiffes & defendantes / shall haue like ples & like aide praters / ples of disclaimer onely except / as thei might haue had before the makinge of this acte. And as thowge suche auowrye / consaunce / or iustificaciō had be made after the ordie of the comen lawe.

C All such persones as by the comen lawe may ioine to the pleintiffe or defendaunt in the said wryttes or replegiare or seconde deliuerance / as well without processe as by processe / shall from hensforth ioine vnto them as wel without processe as by processe / and haue like ples & like quauantagis in all thinges / disclaym onely except as thei myght haue by the comen lawe before this acte. Anno. xxi. h. viii. cap. xii.

C Also se more of auowrye in the title of falsc pence of recoueries.

C Brasse latyn and copper.

C No person shall conuey any latyn / brasse / or

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Suche myxed metall/as panne metall/broken vessels and instrumētes/or any suche metall sh:offe whether it be myxed or clene / to any porte ha:uen place yle or creke of this realme in any vessel or bote to be conueyed beyonde the see vpon payne of the same in whose handes so euer they be founde/or the value of the same/the one halfe to the kyng/the other to him that shall take or finde it. This acte to endure to the nexte parliament. Anno. xxi. 15. viij. ca. x.

¶ Burport.

¶ No person dwellyng within fyue myle of the towne of Burport shall selle out of the market of the same towne: any hempe growinge within the said fyue myles/ vpon paine of forfeiture of the said hempe so solde. And that no persones other than inhabytauntes of the same towne after Ester next comyng / shall make any cables halfers/ropes/traces/halters/or any other tacle made of hēpe in any other place within the said v. myle other than for his owne vse vpon paine of forfeiture of the same/the one half to the kyng and the other to him that wyl sue by accion of dette/byll or informacion wherin neither wager of lawe essoyne nor protection shalbe allowed. Provided that. xx. li. weyght shalbe accounted to the stone. This acte to endure to the next parliament. Anno. xxi. Henrici. viij. cap. xij.

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CCables.

Use of Cables in the tytle of Burporre.

CCalues.

¶ No person from the fyrst day of Januarie in the yere of our lorde M. CCCCC. xxx. burynge iij. yere/ shall kyll or cause to be kyllid to be sold or put to sale hole or by retayle any maner sucking Calfe/whiche shall be calued bytwene the said fyrste day of Januarie and the fyrste day of Maye in any of the said.iii. yeres/ vpon payn of vi. s. viij. d. for euery calfe so kyllid and put to sale/ the one halfe therof to be to the vse of the kinge / and the other halfe to him that wyl sue by bylle accion of det or informacion/wherin no wager of lawe esson nor proteccion shall be allowed. ¶ Provided that euery lorde marcher haue the forfarres and aduantages onely / of euery suche offender within their seignories/ liberties and fraunchises rovall. Anno.xxi.h.viij. ca.viij.

CCopper

Use of Copper in tytle of brasse / latyn / and copper.

CDowlas and lokeram.

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CWo persone after the feest of saint Myghell nexte commynge / shall brunge or cause to be brought in to Englande any Dowlas or lokes rams / but in hole peces / conteyninge in length v. score ellis / accompting to euery elle an ynch and conteyninge in brede one hole yarde / or else in halfe peces conteyninge after the rate aforesaid / vpon paine of forfeiture of the same nat cōteynge the length and brede aforesaid / or the value therof the one halfe to the kynge / and the other to hi that seafith it / or sueth for it by accio: byll / inforinacion / or otherwise / wherin no wasger of lawe nor esson shall be alowed. Anno. xxi. D. viij. cap. xiiij.

Embraceryes.

CSe of embracies in the title of auctorites gyuen to the president of the kynges counsell with other.

Executours.

Cwhere parte of executours named in the testament of their testatoure / declarynge in the same landes or tenementes to be solde by thur erectours / do refuse to take vpon them the administration / and the residue of executours do take vpon them the charge of the testament / than all bargaynes and sales of the said landes onely of

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the said executours that so do accepte / or that here to fore hath accepted the administracion shall be as good and as effectuell in the lawe / as if all the residue of the same executours so refusinge had ioyned with them in the makinge of the bargaine and sale.

Provided that this acte shall not give auctorite to any executours to make any bargaine or sale before of any wyll here tofore made: or otherwise than they might do by the course of comen law before this statute. an. xxi. d. viij. ca. iij.

Falsefyenge of recoveries.

All termers may falsefy for his terme onely recoveries had by fained titles / as a tenaunt of freholde maye at the comen lawe. And that the same termers their executours or assignes shall inioyn their termes accordyng to their leases against such recoveries / as if none such had be suffered. And the recoverer aff suche recouere had shall haue lyke remedie against the termers by auowrye or action of dette for rentes or seruices reserued vpon the same lessees beyng due afore the same recoveries / & like acciōs for wast done after the same recoveries / in like maner as the lessours might haue had if no suche recouere had be had. And no statute staple / statute marchant nor excucion by Elegit be here after auoyded by any suche fained reconere / but like

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remedie shalbe had to auoyde and falsify the
said recoveries as before is ordeyned for the
lessee for terme of yeres. Anno xxi. Henrici. viii.
Capitulo. xv.

¶ Felonye.

¶ If any seruaunt to whome his maister deli-
uer any goodes to kepe / withdrowe him selfe
and goo away with the saide goodes / to the
entent to stele the same / or elles beyng in ser-
uice imbesyll his maisters goodes or conuerte
it to his owne vse with purpose to stele it / if
the said goodes be of the value of. xl. s. or above
than that shalbe iudged felonye. And thei so
offendynge to be punysshed as other felons at the
comen lawe.

¶ Provided that this acte extende nat to any
apprentice / or to any within the age of. xviij.
yere but thei to be in like case as thei were be-
fore the makynge of this statute. This acte to
endure to the next parlyament. Anno. xxi. Hen-
rici. viii. Capitulo. vij.

¶ Fermers.

¶ Se of fermers in the title of pluraliteis of
benefices.

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¶ Gozes.

¶ Se of gozes in the title of weres and gozes.

¶ Hattes and cappes.

¶ No cappe made out of Englande be solde as bone. ii. s. sterlynge: and no suche hat aboute. x. s. and no suche synge crowne cappe / nor synge nyght cappe aboute. vi. s. vpon paine to forfait for euery suche bonet / hatte / or cappe / to be sold ouer the said price. xl. s. sterlynge / whiche forfeitures shal extende onely to the losse of the seller the one halfe to the kynge / the other to the party that wyl sue by accion of dette / byll: or informacion / or otherwise / wherein no proteccion / wager of lawe / nor essoyn shal be allowed. And euery persone byenge any suche bonet / hatte / or cappe may lausfully detaine. and vse any suche without seisure daunger / or forfeiture. Anno. xxi. h. viij. Capitulo. ix.

¶ Indyteementes.

¶ Se of restitution of goodes vpon an indyteement in the title of the restitution of goodes. xc.

¶ Inuentorpe.

Hentici octau.

C Se a newe way of makynge of inuentaries in the tytle of probate of testaments.

C Latyn.

C Se of latin / in the title of brasse / latin / and copper.

C Lynne n clothe.

C Se of linnen clothe in the title of Dowlas and lokeram.

C Lyuere de company.

C Se of lyuere de compaigne in the title of auctorites giuen to the president of the kinges counsell with other.

C Mayntenaunce.

C Se of mayntenaunce how the offenders may be conuylte by examination in the title of auctorites giuen to the president of the counsell with other.

C Mortuaries.

C Ho persone spirituall nor their fermers baye

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lyfles nor leſſees ſhall calle any perſone before any iuge ſpiritual for the recouere of any Mortuaries more than is here after mencioned / vpon payne to forfeit / for euery tyme ſo moche in value as thei ſhall take aboue the ſume limited in this acte: and ouer that. xl. s. to the partie grieved / for the whiche he ſhall haue an action of dette by writte byll or informacion: wherein no wager of lawe elſoyne nor proteccion ſhalbe allowed.

The firſte no Mortuarie ſhalbe taken of any whiche at his dethe hath in mouable goodes vnder the value of. x. marke.

Alſo no Mortuarie ſhalbe taken / but onely where mortuaries haue ben yſed to be paid / and there after the former herafter mencioned. Nor in no mo places but one. s. there where his moſt habitacion is / and there but one. Nor no pſon ſhall take for any mortuary of a perſon beynge at his dethe of the value of. x. markes aboue his dettes paid / & vnder. xxx. li. aboue. iij. s. iij. d. And of the value of. xxx. li. & vnder. lx. li. nat aboue vi. s. viij. d. And of the value of. xl. li. or aboue to any ſume what ſo euer it be nat aboue. x. s. Provided that no mortuarie ſhalbe asked nor paid for any womā couert / barō / or chyld or any pſon nat keping houſe / or for any wayfaring mā but the mortuaries of ſuche wayfaringe men be anſwerable in that place where thei had their moſt habitacion at the tyme of their dethe.

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Provided that any ſuche ſpirituell perſon may take any thinge whiche ſhalbe diſpoſed or bequethed to them or to the hygh altar of the churche. Alſo nothinge ſhalbe take for mortuaries in wales nor the marches of the ſame / nor i Calais or Barwik or the marches of the ſame but only in ſuche places of the ſame where mortuaries haue be accuſtomed to be paid / & there but onely after the forme aboue ſpecified. **P**rovided that the biſhops of Bangour / Landaſſe ſaint Davids / and ſaint Aſſe / & the archedecon of Cheſter may take ſuche mortuaries of the preſty within their dioceſes and iuriſdiccions as here tofore haue be accuſtomed. **P**rovided alſo that in ſuche places where mortuaries haue accuſtomed to be taken of leſſe value none ſhalbe compelled to paie any other mortuarye or more for any mortuary than hath ben accuſtomed / nor no mortuary there ſhalbe demaunded of any perſon exempt by this acte / vpon paine afore limited. Anno. xxi. Henr. viij. cap. vi.

Newcaſtell vpon tyne.

No perſon ſhall lode nor vnlope any goodes to be ſolde within this realme or elles where: within the ryuer and haven of tyne / betwene the ſparhauke & hedmynſtremes / but onely at Newcaſtell / vpon paine of forfeiture of all ſuch goodes and it ſhalbe lefull to the mayre / burgeſies / and

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cominalte of the said towne/and the kynges officers there to sease the same and the value thereof to be answered to the kyng in his eschequer.

Provided that this acte be not prejudiciall to any of the kynges subiectes for lodynge or yn lodynge of any salte or fyssh within the saide ryuer/or to them or any other person repayyng to the said porte with shippes and marchandise for sellinge or bryng of any wares nedefull for the vytaylng and amendyng of their said shippes at that time. Anno.xxi. .d.viij. cap. xviij.

C None resydens.

CSe of none residence in the title of pluralities of benefices.

C Pardon.

At this parliament the kyng graunted a generall pardon / for diuers offences as appereth in the said. xxi. yere of .d.viij. cap. i.

C Pluralytes.

No spirituall persone secular or regular shall take to ferme to him selfe to none other to his vse/any maners/landes/tenemētes or other hereditamētes for terme of lyfe/ terme of yeres or

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at wyll vpon paine of forfeiture of .x. li. for every moneth that he or any to his vse occupye any such ferme.

C Also that every suche spiritual person or any to their vse whiche occupye in ferme any suche hereditamentes / or that haue any annuell aduantage by colour of any suche lease or ferme shall giue or graunt away the same on this side Michelmas nexte to some lay person that they wyll so that in no wise any suche spirituall pson or any to their vse after the same feest by any fraude shall occupye in ferme any suche landes or take any annuel aduantage by colour of any suche lease or ferme vpon paine of forfeiture for every moneth .x. li. and .x. times asmoche as he shall take or haue aduantage therby. The one halfe to the kynge / and the other to him that wyll sue as is aforesaid.

C Also that all suche leasses made to any suche spirituall persons and nat bargained and solde away before the said feest of Michelmas / shall fro thensforth be voyde and of none effecte / as well agaynst the lessoure his heires and assignes / as agaynst the lessee his heires and assignes and euery of them.

C Provided that this acte extende nat to any spirituall persons for takinge to ferme any temporalities duringe the vacacion of any archbys / thopriches / bishopriches / abbeies / priours / or collegiall cathedral / or conuentuall churches / nor to any spirituall person that shall tende any tra

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uer se vpon any office concernyng his freholde.
Also that no spirituall person nor none to his
vse shall bargaine and bye to sell agayne for any
game in no place any goodes or cattels, vntyle
or marchandise vpon paine of forfeiture treble
the value, the one halfe to the kynge, the other
to him that wyl sue as aboue is said. Provided
that thei may bye horses, mares, or mules, and
other goodes and cattels for their owne occupy
enge, and there seruantes, and for the onely tyl
lage of their owne glebe and meane landes, and
yf they myslike suche thynges that they be nat
conuenient for them, than thei maye bargayne
and sell them awaye agayne nat withtandynge
this acte.

Provided that all spirituall gouernours of
any house of religion, college or hospitall, ha
uynge landes and hereditamentes to the pccely
value of. viij. l. markes & vnder, and nat aboue
may occupye their owne landes fee, ferme, and
fermes to their moste aduantage for the onely
mayntenaunce of their householdes and hospys
taltes, lyke as thei or their predece ssours with
in this. l. yere haue vsed and occupied. And
yf they haue nat sufficient glebe or demeane lan
des in their owne handes for pasturage and
tyllage for the expences of their householdes,
thei maye than take in ferme other landes and
bye and selle corne and cattell for the manuraf
ce and pasturage of suche fermes, so that the co

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crease therof be employed for the onely expenses of their householdes.

¶ Also if any person hauyng one benefice with cure of soule worth .viij. li. yerely or aboue / except any other with cure of soule the first benefice shalbe voyde and the patron may presente another and the presentie to haue the benefite of the same as though the incombent had died or resigned nat withthandryng any licence vnto or dispensacion here after obteyned to the contrary and that any licence or dispensacion here after obteyned to the contrary to be voyde. And if any person obteyne any where any licence to the contrarye / or put in execution any suche licence / thei shall forfeite for every defaute. xx. li. and lese the profits of every suche benefice as he taketh by the same licence.

¶ Provided that this foresaide acte of mo benefices than one extende nat to any person whiche before the firste daye of Apryll nexte commynge shalbe really intitled or possessed of any suche benefices with cure of soule vnder the nombre of .iiij. and nat aboue. And if any suche person so intitled or possessed with mo suche benefices than .iiij. do nat by the saide firste daye of Apryll gyue vp or resygne without yerely pensio the residewe thā the patron therof may present another as before is said. And this clause of presentacio to be taken of such benefices with cure of soule as were given aff the .iiij. benefices with cure of soule furnished and fulfilled.

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Provided that all spirituall persones of the kinges counsell maye purchase licence for thre personages or benefices with cure of soule/ and that the chapleins of the king/ quene/ prince/ princes/ or any of the kinges children/ bretherne/ sisters/ vncles/ or aunes/ may purchas licence for two personages or benefices with cure of soule.

And euery archebisschoppe maye haue. viij. chapleins/ and euery duke. vi. chapleins/ euery marques and erle fyue chapleins/ euery vicount iij. chapleins/ and euery bisschop. vi. chapleins/ the Chancellour of Englande and euery baron and knigght of the garter thre chapleins/ euery duchesse/ marques/ countesse/ and baronesse besyng wydowes or after thoughe they take husbandes vnder the degre of a baron/ the treasourer and controller of the kinges house/ the kinges secretary/ and deane of his chapell/ the kinges almoner and the maister of the rolles/ maye haue two chapleins. And the cheif iustice of the kinges benche/ the warden of the fyue portes one chapleine/ wherof euery one of these chapleins before said may purchase licence and kepe two benefices with cure of soule. And the bretherne and sones of all temporall lordes and of euery knight borne in wedlocke/ may purchase licence and haue two personages or benefices with cure of soule.

Provided that all suche chapleins purchasynge such benefices/ shalbe bounde to haue and exhibite wher nede shalbe letters vnder the signe

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and seale of the kinge or their maister testifieng
whose chapleins thei be: or elles nat to enjoy no
suche pluralitie .

CBe it also prouided that any that shalbe ad-
mitted by any of the vniuersities of Englande
to any degree of doctour and bacheler of deu-
nite / doctour of the lawe and bacheler of lawe
canon may purchase licence for two personages
or benefices with cure of soule / so that the saide
libertie by any of the prouisions aforesaide ex-
tende to no mo benefices with cure of soule thā
is aboue limited / accompted as percell thcrof
suche benefices as thei shall haue in reall title or
in their possession at the said first daye of April.

Prouided also that if any spirituall persone
by colour be auauised to kepe any mo benefices
with cure of soule than is afore limited by any
person to whom any nombre of chapleins be li-
mitted aboue the nombre to them limited / than
the said spirituall person so auauised to incurre
the penalte of this acte. Also euery spirituall
person after Michelmas nexte shalbe personal-
ly resident vpon their dignite / prebende / or bene-
fice: or at one of the at the lest / and if thei absent
them selfe by the space of a moneth togyder / or
two monethes / to be accounted at severall times
in one yere he shal forfeite for euery default. x. li.
the one halfe to the kinge and the other to him
that wyl sue. And if any pson obtaine any where
any licence to the contrary / or put it in execucio
thei shall forfeite for euery defeaute. xx. li. to be

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recovered as is aboue said. **P**rouided that this acte of none residence extende nat to any spirituall persone beyng in the kynges seruyce beyonde the see/ nor to any goynge on pylgrymage beyonde the see/ nor to any scoler abydyng for study at any vniuersite as longe as thei shall so be in the kynges seruice / or in their pylgrymage goynge or comyng/ nor to any of their chapleins to whome the certeine nombre of chapleins be limited by this acte aforesaid as longe as thei shall be dayly attendyng in any of their housholdes/ nor to the master of the rolles or deane of the arches. Nor to any & hauncellour or commissary of any archebysshop or byshoppe / nor to as many of the .xii. masters of the chauncerie & .xii. advocates of the arches as be spirituall men/ or hereafter shalbe as longe as thei occuppe their offices/ nor to any spirituall person as shal happen by iniunccion of my lorde chauncellour or the kynges counsell to be bounde to dayly apparance and attendaunce to answeere to the lawe.

Prouided that it shalbe lesfull to the kynges chapleins to whome he shall gyue any benefices or promouous to what someruer nomber to take the same without incurrnge the penaitye in this acte / that the kyng maye gyue lycence to any of his owne chapleins for non residence.

Also that no spirituall person beneficed with cure of soule as is aforesaide after Wyghelmas

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nexte by licence dispensacion or o therwise shall take any pertyculer stypende or salarye to synge for any soule nor haue by hym selfe or by any o ther to his vse any vicarage or psonage in ferme nor take any profite or rent out of the same. vpo paine of forfeiture. xl. s. for every weke that he or any to his vse shal occupye and also. x. tymes the value of suche profyte or rent.

Prouided that no deanry / archdeaconry chauncellourshyp / treasurershyp / chaustershyn or prebende nor personage that hath a vicar indued nor other benefice ppetuallly appropriate be taken vnder the name of benefice with cure of soule in any article aforesaid.

Prouided also that no spirituall persone by them selfe. or by any. to his vse fro the first daye of Apryl shall kepe any tanhouse for his owne vse nor shall kepe any brewhouse other than to be spent in his owne house / vpon forfeiture for every moneth. x. li.

Prouided also that every spirituall persone hauinge landes or other possessions in the right of their houses aboue the yerely value of. viij. hundred markes / maye occupye and manure as moche of the same as shalbe necessarie and sufficient for pasturage of their catell and for tylage of corne to be implored for the onely mayntenance of their householdes and hospytalles without fraude or couyn.

Prouided also that every spirituall persone may take in ferme any messuagions or dwel-

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linge houses hauryng but onely orchardes or gar
daines for their owne habitacion or dwellinge
so that they haue no libertie of none residence by
colour of this prouiso. The one halfe of all such
forfeitures before said to be to the kinge our so
ueraine lord: and the other to him that wyl sue
by action of dette. by l or informacion wherein no
wager of lawe esson nor proteccion shalbe alow
wed. Anno.xxi. D. viij. ca. xij.

President of the kynges counsell.

¶ Se of the president of the kynges counsell, in
the title of auctoritees giuen to the president of
the kynges counsell with other.

Probate of testaments.

¶ Nothing shalbe demaunded or taken by any
person that hath auctorite to take probacion
insinuacion or approbacion of any testament: or
by any other for the probacion of any suche tes
tament or for wytyng. &c. where the goodes of
the testatour do nat amout aboue the value of. £
s. excepte to the scribe for wytyng of the pro
bate of the testament. vi. s. and for the commissio
of ministracion of the goodes of any dienge in
testate nat beinge likewise aboue. £ s. vi. s. and
that none hauinge power to take probacion of

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testamentes do refuse to approue suche testamen
tes beyngelausfully offred vnto them in wrytting
with wære therto assyred redy to be sealed / and
that the same be lausfully proued before the same
ordinarie to be trewe. And whan the goodes
of the testatoure do amount aboue the value of
xl. s. and nat excede the same of. xl. li. none shall
take for the probacion/registringe/ sealing/ wri
tyng. &c. of any suche testament: but onely. iij. s.
vi. d. wherof to be to them that haue auctorite
to take the probacion. ij. s. vi. d. & the other. xij. d.
to be to the scribe for registringe of the same.

¶ And where the goodes amount aboue. xl. li.
than only. v. s. to be taken / wherof to be to them
that haue auctorite to take the probacion. ii. s.
vi. d. and the other. ij. s. vi. d. to be to the scribe
for the registringe / or elles if he wyl refuse that
ij. s. vi. d. than he to haue for every. x. lynes of the
same testament / every lyne contynge in length
ten ynches a peny. And they that haue auc
torite as is aboue said / shall approue insinuate
seale and register the said testamentes and deli
uer the same seale with the seale of their office
to the executours for the sumes abouesaid and
that with conuenient speede without any frustra
torie delay / and if any person dye intestate or the
executours refuse to pue the said testament thā
they haue auctorite as is abouesaid shal graunt
the administracion of the testatours goodes or
person diseased to the wydowe of the same per
son diseased or to the nexte of kynne or to bothe

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after their discreſſiō taking ſuertie of the for the
trewē adminiſtraciō of the goodes & bettes whi
che thei ſhalbe ſo auctorized to miniſter. And
where one or diuers clayme thē adminiſtraciō as
nexte of kyn whiche be egal in degree of kynred
xc. Or where any pſon onely deſyret̃h the admini
ſtracion as nexte of kyn/ where in dede diuers
perſons be inequalityte of kynred then in any ſue
che caſe the ordinarie to be at libertie to take
one or mo makinge request where diuers do re
quire the adminiſtracion / or where but one or
mo of them and nat all beinge in like degree
make request: than the ordinarie to admitte the
wydowe and him to them onely makinge re
quest or any of them / takynge nothyng for the
ſame where the perſon deceaſed/ died nat worth
£.s. And if he dye worth £.s. and nat above. xl.
li. than. ii. s. vi. d. onely to be taken. And the ex
cutoure or adminiſtratoure callynge to him the
dettours two at the leaſt / or ſuche perſones to
whome any legacie was made and if thei refuſe
than two nexte of kynne to the perſon deceaſed
and in their defaute two other honeſt perſons
and by ther discreſſions ſhall make a trewe in
uentory indented of all the goodes whiche ſwea
ryng before the biſhop or his officers to be true
ſhal deliuer the one parte therof vnto them and
the tother kepe with hi ſelfe. And that none ha
uig auctorite to take pbate of teſtamentes vpo
paine conteyned in this ſtatute do refuſe to take
any ſuche inuentorie pſented or tended to them.

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Provided yf any persone wyl by his testamēt any landes or hereditamentes to be solde that the money nor profites of the same be accounted for goodes or catelles. And thei haue bynge the auctorite aboue said vpon the delysure of the seale and signe of the testatoure do cause the same to be defaced and incontinent redelyner it to the executour without any clayme. And if any require a copre of the testament and inuentorie than thei haueinge auctorite or their ministers shall without frustratorie delay/delyuer them a copre takynge therfore and for the serche as before is specied suche fee as for the registringe of the same / or elles for every ten l^{ys} .i. s. as before is specied.

Provided that where thei haueinge auctorite. &c. haue vsed to take lesse for the probate of testaments or other thinges concerning the same than is here specified/ than they to take as thei orde before this acte.

Also if any that haue auctorite aforesayde or their ministers do attempt against this acte thei shall forfeite for every tyme to the partye greued as moche money as thei shall take contrary to this acte. And ouer that. x. li. the one halfe to the king/ the other to the partye greued that wyl sue by accion of dette byll informacio or otherwise in any of the kynges courtes/ wher in no esson proteccion nor wager of lawe shalbe allowed. And euery of the to be charged for himselfe and for none other.

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Provided that every one hauinge auctorite abovesaid may calle before them every person named executour to the entent to proue and refuse the testament and to bringe in inuentaries/ and to do every other thynge concernynge the same as they might before this acte/so that they or their ministers shall not take aboue the fees limited by this acte. Anno. xxi. h. viij. cap. v.

Resydens.

CSe of residence in the title of none residence.

Restytucion of goodes vpon an indytement.

If any felon be indited and arraigned & founde guilty or atainted by euidence giuen by the ptie/ than the partie so robbed or owner shalbe restored to his goodes. And as well iustices of gaole belwere as other iustices/ afore whome suche felon shalbe founde gylte or otherwise attaynted/ haue power to awarde writtes of restitution for the same goodes in like maner as though the suche felon were attaint at the sute of the ptie in appeale. Anno. xxi. h. viij. cap. xi.

Ryottes and vnlawful assemblies.

CSe howe riottes and makers of vnlawfull

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assembles shalbe conuicted by examinaciō in the title of auctorities given to the president of the kinges counsell with other.

Sale of lande by executors.

CSe of sale of lande by executors in the title of executors.

Seale of testatours.

CSe of seales of testatours in the title of probate of testaments.

Seruauntes.

CSe of seruauntes in the title of felonie.

Sheriffes.

CSe howe vntrewe demeaninge of Sheryffes in diuers articles there remembred may be punished by examinacion in the title of auctorities given to the president of the kinges counsell with other.

Testamentes & copy of testamentes.

CSe of testamentes and copy of testamentes in the title of probate of testamentes.

Wast.

CSe of wast in the title of falsifieng of recoveries

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¶ Weres and gores:

¶ That every owner fermer & occupyer of weres & gores/ engules reyd in the ryuer of tyne betwene the towne of newcastell & the brode see do abate & put away the same on this syde Eest next comyng. And that no pson araye or make any were/ gore/ or mygn bytwene the place called the sparhauke & hedwynstremes/ vpon paine of. l. li. for every tyme/ the one halfe to the kinge the other to him that wyl sue by accion of dette byll/ plaint/ or informacion/ wherin no wager of lawe/ esson/ licence/ or proteccion shall lye.

¶ Also it shalbe lefull to the maire/ burgerres/ and compynalte of the said towne of newcastell/ after whytsonyde nexte comyng to abate and take away all the said weres/ gores/ and engins standyng betwene the said sparhauke and hedwynstremes/ & that hcraster shalbe newly made & arrered within the same. *an. xxi. B. viij. ca. xviij*

¶ Worstedes.

¶ It is enacted that the acte made in the. xv. yere of kinge Henry the. viij. concernyng the trewe makinge of worstedes: and every article sentence and prouision therin conteyned shall from hensforth stande in his full strength and effecte & to endure vnto the last ende of the next parliament. *Anno. xxi. B. viij. cap. xvi.*

¶ Yozke.

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Et is enacted that the letters patentes graunted by kinge Henry the. viij. to the mayre and cytezens of forke to couey vnto the porte of Hull wolles and felles of the growinge of diuers places expressed in the said letters patentes bearing date the. xxiij. day of August in the. xv. yere of the reigne of kinge Henry the. viij. be from henceforth adnulled and repelled / and that the maire and citezens and their successours shall take no aduantage by reason of the same letters patentes or of any licence therein conteyned.

Prouyded that no citezens of the said cite of forke whiche before the firste daye of this parliament haue conueyed any wolles or felles into the said porte of Hull / be charged to the kyng with more imposition for the said wolles or felles than with such like custome as they of Newcastell vse to paye for wolles or felles shypped by them: and no further. Anno. xxi. D. viij. ca. xviij.

Entis.

Cum gratia et priuilegio.



